

AT A SPECIAL JOINT BOARD OF SUPERVISORS/TOWN COUNCIL MEETING
HELD AT GERMANNA'S DANIEL TECHNOLOGY CENTER, 18121 TECHNOLOGY
DRIVE, ROOM 221 ON THURSDAY, DECEMBER 10, 2009.

Board Members Present:

William C. Chase, Jr., Chairman

Larry W. Aylor, Vice-Chairman

Sue D. Hansohn

Steven E. Nixon

Tom S. Underwood

Steven L. Walker

Brad C. Rosenberger

Staff Present:

Frank T. Bossio, County Administrator

Roy B. Thorpe, Jr., County Attorney

John C. Egertson, Planning Director

Paul Howard, Environmental Services Director

Jim Hoy, County Engineer

Donna B. Foster, Deputy Clerk

Barry A. Atchison, Assistant to the Deputy Clerk

Town Council Present:

Pranas A. Rimeikis, Mayor

William M. Yowell, Vice-mayor

Calvin L. Coleman

Duke M. duFrane

Laurel Gravatte

Michael T. Olinger

James C. Risner

Robert M. Ryan

Christopher H. Snider

Town Staff Present:

Jeff Muzzy, Town Manager

Robert Bendall, Town Attorney

Chris Hively, Environmental Services Director

Kimberly Allen, Town Clerk

CALL TO ORDER

Mr. Chase, Chairman of the Board of Supervisors and Mr. Rimeikis Town Mayor called the meeting to order at 6:00 p.m.

2.0 WATER CONTROL BOARD DECISIONS

2.01 Recent Water Control Board decisions and the implication for Culpeper

Mr. Bossio stated he and Mr. Muzzy felt it would be beneficial to begin with a review of

recent decisions of the Water Control Board and what the implications are to the Town and County. Mr. Howard presented information from a handout entitled "Minute Number 9" which was distributed to each member of the Joint meeting. Mr. Howard explained that Minute Number 9 was an excerpt of the State Water Control Board Meeting held in October 2009 regarding the County of Culpeper's petition to extend the deadline for constructing a waste water treatment plant. He explained the County had previously received a 2.5 million gallons per day (gpd) allocation for nutrients, mainly nitrogen and phosphorous, to construct the plant. One million gpd of the 2.5 million was footnoted that it had to have a certificate to operate by December 31, 2010 or the County would lose it. He noted the General Assembly passed legislation in 2009 which allowed the Department of Environmental Quality (DEQ) to accept petitions to extend the deadline until 2015. DEQ received seven petitions for extensions. Three were granted and four were not, with the County of Culpeper being one of the four that was not. He stated DEQ did leave the door open for consolidating allocations and directed their staff to assist the County and Town if they were asked and to consolidate those allocations if there was a regional solution put forward. As it stands, the County has 1.5 million gpd allocation after December 31, 2010. The DEQ has advised they will be proceeding to remove those allocations that remain unused by 2012. Mr. Howard concluded his presentation by asking if there were any questions.

Mr. Walker asked if DEQ was specific about what they meant by regional and what the allocation would be if there was a regional solution. Mr. Howard replied they were not specific but left the door open so that if there was a regional solution they would entertain combining or moving some of the allocations in some fashion. Mr. Walker then asked Mr. Howard if they led him to believe there would be more allocation with regional facility. Mr. Howard stated no the County would just not lose the allocations it has.

Mr. Hively presented information on the Town's petition from a handout entitled "Minute No. 11" which was distributed to each member of the Joint meeting. He began by stating the Town of Culpeper has an existing allocation for nitrogen of 54,820 pounds per year and for phosphorus of 4,112 pounds. He explained that meant the water treatment plant has a total nitrogen level of 4 milligrams per liter, or parts per million, at discharge. He stated the town can operate the plant at an average flow for the year of 4.5 million gallons per day. He informed the members that in 2007 there was discussion at the State Water Control Board that in this timeframe the Water Control Board would be re-evaluating allocations and potentially would be distributing allocations further. Localities were led to believe that there was a possibility if they built additional plant capacity then there may be a change that results in additional allocation from that. The Town of Culpeper built 6 million gallons of capacity at the new facility which is about 99% complete. The Town petitioned DEQ for an additional 73,000 pounds per year allocation for that facility. That would mean the plant could discharge 4 milligrams per liter at the 6 million gpd rate and that is what was denied. This does not mean the Town cannot operate the facility at the 6 million gpd rate, they can, but it means instead of the 4 milligram rate it will have to operate at a 3 milligram rate which is considered limits of technology for the facility. To do that there are additional costs associated with it in chemicals and power and various other things. The determination of the State Water Control Board was to deny that. He noted the Water Control Board directed their staff to assist the Town, as needed and requested, in securing any shared waste water allocation that may result from a regional approach with the County. Mr. Hively noted that the Water Control Board did not mention additional allocations just possible consolidation of existing Town and County allocations, if a regional approach is reached. Mr. Hively concluded his presentation by reiterating Mr. Howard's comments concerning the County losing allocations if they are not used in the specified time and offering to answer any questions.

Mr. Aylor asked what the Town's average flow was. Mr. Hively replied the average was

around 3 million gallons per day. Mr. Aylor then as what it cost when the limit was exceeded in terms of filtration, chemical etc. Mr. Hively explained the treatment plant was designed to meet a 3 milligram per liter limit and as the water quality is improved or increased leaving the plant, more power and more chemicals are used but there are limits on the total poundage per year the plant is allowed to discharge. The costs associated will gradually go up as the capacity is increased and at that time the plant's capacity was so much greater than what was being used there are very minimal additional costs, but as flow increases it will become more difficult. If the Town had received the additional allocation though, the capacity could have been stretched even further. With no more questions posed Mr. Chase asked Mr. Bossio to proceed to the next topic.

3.0 CONCEPT (Previously Presented)

3.01 Results from December 1 Board of Supervisors Meeting & December 8 Town Council Meeting

Mr. Bossio stated he and Mr. Muzzy had talked over the course of the last week and felt they were stumped in terms of which way to go. He stated that they had embarked on this endeavor in order to solve the law suit and they took that very seriously. He described how they had looked at everything that had been done before, including all of the MOU's back to the 2003 agreement. He related they had also researched how to do the boundary line adjustment, either as one big adjustment or a phased approach. He noted that because of the law suit they felt failure was not an option, so a different approach had to be developed. He said he and Mr. Muzzy had come up with the current concept over the past 5 to 6 months and that is what they had been discussing with both bodies. He felt the current proposal was different because it looked at two fundamental things from each other's prospective. The first was it ensures that both Town and County have access to reasonable water and sewer rates to be able to development commercial entities. The second, if the Town was to give up their plants then they had to have some long term viable method to adjust and develop land into the town. He related those were the two basic premises, that seem simple, but they always had to guard those going into the negotiation. He said recently when the bodies have met their discussions/negotiations have changed the basic mechanism. As a result he and Mr. Muzzy are at an impasse on what they can do without further direction because they believe they are at the limits of their authority in terms of ability to negotiate. Mr. Bossio concluded by saying what he and Mr. Muzzy needed to know what the Joint Bodies wanted to hear one or two presentations, or any presentations at all and how he and Mr. Muzzy should proceed with the concept planning phase.

Mr. Muzzy added that he and Mr. Bossio presented the proposals at the last Joint meeting and have discussed the details with their respective bodies since then. He and Mr. Bossio did not see need to review the proposals since they have been thoroughly reviewed and discussed unless the Joint Board members felt there was a need. He felt the way the process should work is that he and Mr. Bossio bring a proposal to the table and then each of the governing bodies reacts to it, but as Mr. Bossio said, the reactions and some of the issues that have come up are not details as part of the proposal that was brought forward, they affect the basic tenets of the proposal. At this point the basic concept of the proposal has changed to the point that it is beyond he and Mr. Bossio's scope of authority.

Mr. Risner asked if it would be possible instead of doing two presentations for staff to do one presentation focusing on what is still good, what hasn't changed, and what has changed that staff needs guidance on. Mr. Bossio indicated staff could do that but they did not have a

single brief covering those areas prepared at that time. Mr. Bossio proposed having Mr. Egertson go through the presentation on the basic tenets of the County and then Mr. Muzzy could present the Town's. Mr. Bossio felt this approach would set the stage for a discussion of where the commonalities and differences exist.

Mr. Underwood added it may be possible to simplify this area even more than that. He described a Boundary Line Adjustment (BLA) as having three components, an area to be adjusted, the method of doing the adjustment, meaning a referendum or not, and a time line associated with it. He added under the topic of Area there are two major components. The first being whether it is a flexible BLA or not and second is maximum potential area which is eleven square miles. He summarized saying these were the four main issues of commonality or disagreement when discussing the BLA. He stated the Board of Supervisors (BOS) was onboard with the flexible BLA and thought it was understood it would end at south of Route 29

Mr. Nixon felt it would be beneficial to the public at large to understand where the two bodies are in their deliberations, to touch on differences and then discuss where they are.

Mr. Chase commented the only thing he did not understand is which plan the fiscal impact based on? Mr. Bossio responded that was the point he was making, he and Mr. Muzzy do not have a plan to base the fiscal impact on.

Mr. Bossio asked that they proceed with the presentation, so the audience would understand where there was a potential point of separation. Mr. Egertson then narrated a power point presentation, a copy of which is attached.

Under the topic of Transfer of assets Mr. Egertson noted that the Town assets would need to be transferred by referendum or charter amendment. Mr. Egertson pointed out that this was one point of divergence, with the Town Council wanting a referendum and the BOS wanting to keep the Charter amendment on the table, and the BOS wanting to see one or the other happen sooner than later. Mr. Bossio suggested if the two bodies wanted to discuss this issue this would be a good place to do it. Mayor Rimeikis thought the issue had been discussed in the previous meeting. Ms. Hanson asked where the Town Council was on the issue. Mayor Rimeikis replied the same place they were the last time. Mr. Risner added the Town Council was informed by Mr. Bendall at their last meeting that time wise they do not have the time to initiate a Charter amendment. Mr. Underwood asked when would the Council plan on doing a referendum by. Mr. Chase commented that was one of the big questions the Board had. Mayor Rimeikis replied that question has not come up formally in Council discussions. Mr. Bossio stated the point was the agreement ends in July. Mayor Rimeikis replied there are strict guidelines on when a referendum can be held and the process to follow. Mr. Chase commented that the Board's question was, has the process started? Mayor Rimeikis replied no, because there is no agreement.

Ms. Hansohn added that the Board needed to have deadlines and a timeframe to look at. Mr. Rosenberger commented if the referendum fails there will be no agreement. Mr. Rosenberger added there were discussions in the last joint meeting about Town Council holding public hearings to get input from Town citizens and see how they feel. He asked if anything had been done on that. Mayor Rimeikis in response asked Mr. Bendall when was the soonest the Town could have a referendum. Mr. Bendall replied there had to be an agreed upon plan before there can be a referendum and the Town Council would have to sell the plan to the voters so they know why it is advantageous to transfer assets. Mr. Bendall felt it was premature to schedule a referendum before the governing bodies knew what it was they were asking the

voters to approve.

Ms. Hansohn stated she would like to keep it simple and ask the Town what their plan would look like if they got everything they wanted. She asked that the Council members just set out what they wanted to see in the agreement, what does Council want or like. Mayor Rimeikis stated he thought that was what was in development. Ms. Hansohn stated it is the Town's call at the end of the day and asked what it was they would like to see? Mayor Rimeikis responded that Council had not had that discussion because they had been discussing it jointly and therefore Council was no further with discussion than last month.

Mr. Bendall interjected and felt Ms. Hansohn's question was unfair. He stated what the two governing bodies were trying to reach is what the Town Manager and County Administrator have proposed and that is a regional authority in exchange for a boundary adjustment. He emphasized a fluid BLA that allows development of the Town.

Ms. Hansohn clarified that what she was looking for, is what has staff brought to the meeting that the Town can live with. Mr. Risner suggested that the staff continue with the slide presentation because some of the questions raised may be addressed. Ms. Hansohn commented at some point in time a decision has to be made.

Mr. Egertson resumed the presentation with the topic of Boundary Line Adjustments.

Mr. Nixon asked if the BLA was limited to the inside of Route 29 if the maximum 11 square mile adjustment would change because it could not be achieved. Mr. Egertson replied that it would be pretty close to 11 square miles and displayed the next slide entitled "Area of Potential Adjustment" to illustrate.

At the conclusion of Mr. Egertson's presentation Mr. Bendall clarified the Town Charter amendment proposal was out for a year. He explained before the Town could have a Charter amendment they would be required to have a public hearing to determine whether or not the legislation should be introduced. If the Town Council decides after a public hearing that it wishes to amend its Charter, it has to be introduced on the first day of the opening session of the General Assembly. He stated the bill cut off day was 5:00 p.m. Monday, December 7, 2009, so it would not be until the next session of the General Assembly that the Charter amendment could be introduced. He added that the issue of whether a referendum is held is because of the provision in the Charter, and until the Town gets rid of the provision that says the Town cannot sell, lease, or otherwise dispose of public utilities without a voter referendum, the Town cannot do it. He explained that in order to accomplish what Joint bodies were working on the last six months they have to find a way to come up with a proposal that amounted to BLA in exchange for regional authority, one that could be developed and sold at referendum so that everyone would understand it, and the importance of the two jurisdictions to get together and have a regional water authority. Mr. Bendall asserted that the Town could not schedule a referendum until Council knew what it was trying to sell the people.

Mr. Underwood asked that everyone keep in mind the deadline. He declared that he would not support a change in the deadline, and that meant any referendum would have to pass by the end of June. Mr. Bendall advised the Town could schedule a referendum, as a special election, before June if a plan was developed. Mr. Coleman added an election is currently scheduled for May and the referendum could be added to that. Mr. Bendall agreed and added that the Council would have to make that decision. Mr. Coleman asked how far in advance the Court had to be petitioned to add the referendum to the scheduled election. Mr. Bendall replied

90 days. Mr. Thorpe added the court order for the referendum had to be issued 60 days in advance, so it was not a matter of when the court is petitioned but when the order is issued.

Mr. Risner asked if Mr. Muzzy could proceed with the Town portion of the presentation.

Mr. Muzzy narrated the Town portion of the power point presentation, a copy of which is attached. A discussion of the Council's concerns over the County's proposed 11 square mile growth limit followed.

Mr. Aylor commented the Joint meetings are to set a starting point and the previous discussion brought up some good points. He said the two bodies have to reach a starting point, but he felt that doesn't mean both bodies can't be responsible in future and come back to the table and look at what is best for community. He stated both parties want to do the best for community and if both parties feel a joint authority is what is best then a starting point is needed. He felt the Joint bodies were getting close and if adjustments were needed the governing bodies can get together and adjust in the future. He noted Mr. Bendall's comment about needing a plan before scheduling a referendum, and agreed, but he felt all members from both bodies need to come together and say what it is they want to do and if they are onboard with the joint authority. If they are not that is okay but then the Town and County need to take different paths. He asserted he did not want to work on plan if the Town is not going to have a referendum, he felt that all Board and Council members needed to level with each other and find a benchmark to get it started if that was the decision. He felt the plan had to make sense with BLA's that are financially feasible for the Town but not an open ended deal it should be a fair deal for both Town and County. He commented the plan would not be perfect the first time but it would be close and ultimately the community will benefit and the plan can be adjusted to provide the best service to the community. Finally, he questioned if do both sides wanted to do it.

Mr. Olinger remarked that question was asked at the last meeting and both parties agreed they wanted to work on it. He added that he cannot say yes or no to any proposal until he could see the monetary affect. Mr. Aylor clarified that the starting points are contingencies and he would not expect the Council to do something that was not positive for the town. He related that he would like to get some solid building blocks laid that both parties were serious about and that made sense to both parties.

Ms. Hansohn asked if staff had financial figures prepared. Mr. Risner commented that during the last Town Council meeting Mr. Muzzy suggested that in order to get the financial data right the Town and County would need to hire a consultant to prepare the figures.

Mr. Chase commented he had certain thoughts on consultants and asked what they know that the Town and County financial staff do not know. He thought the County and Town staffs could do it. Mr. Risner thought that decision should be left up to the Town Manager and County Administrator but he thought they were looking for an agreement from the Council and Board to show commitment for the figures in order to move forward and to see to see if it is financially viable.

Ms. Hansohn commented she had read in the newspaper that the Town had already put together financial impact numbers. Mayor Rimeikis replied that the Town has had figures all along and have mentioned them but have been challenged so if the County is not going to believe the Towns figures maybe it would be better to have an independent body to present the financial data. A discussion of the revenue generated by the Town's waste water plant, the associated cost allocation and rate structure followed.

Mr. Nixon stated if the Town and County are going to have a fiscal analysis the first thing that needs to be agreed on is the boundary area to do the analysis on.

Mr. Coleman suggested that both parties would simply have to go down the list and start compromising, for example take away the 11 square miles limit and go with Route 29 as boundary. Mayor Rimeikis commented if the Town was to transfer assets that day they would experience a loss. Mr. Walker suggested the rate payers do not lose because it is a transfer of authority. Mr. Bendall added the Authority assumes the debt of the existing structure and also the equity base that the rate payers paid for and established. Discussion concerning the equity associated with the transfer of the Town's system ensued.

Mr. Nixon commented, to him the details of the Town's cost allocation was their business but if he was on that side of fence he would think the Town had too much to lose to let go of the system. He thought the simple answer was for the Town to keep its system and all of its components and do a service agreement with the County. Mr. Nixon emphasized this was his opinion only. He continued if the Town needed to do a BLA in future, Council could just file for annexation in the future. He declared to him this would solve the whole issue, because the County does not have to control or run water and sewer system it just needs access to the water and sewer. Mr. Risner agreed that maybe something look at and having one less bureaucratic organization would be a plus. Ms. Hansohn noted the MOU spelled out a similar agreement and it did not work.

Mr. Chase commented Mr. Nixon did not speak for him; no one was looking at it from the consumer point of view. An authority provides better rates and better service to the consumer.

Mr. Rosenberger did not agree with Mr. Nixon. He felt one of the advantages to an authority is water and sewer is taken out of the hands of politicians and into the hands of good business people. He added the goal is not for the County to be in the water and sewer business he would like to see someone else do it.

Mr. Nixon thought the Town has done a good job running the water and sewer system.

Mr. Coleman agreed with Mr. Aylor that both sides are 90 percent in agreement. He mentioned why not list the 10 percent that the two side disagree on and find compromises. Mr. Risner thought one thing to give staff is to do the financial data to see what the Town would have to boundary adjust in to break even.

Mr. Bossio replied there is only so much income producing property equaling .4 mile with roughly \$500-\$700,000 gross revenue that could come to town. He questioned what is the real difference between the \$500-\$700,000 gross revenue and the \$1.46 million deficit the Town will experience then what affect does the service on billings etc. have? Mr. Bossio explained for the County to do an analysis, the biggest impact is on the county citizens and businesses that have to pay extra taxes. He concluded by stating staff cannot do more until they know exactly what the boundary looks like and until that time staff will not know what effect the other areas outside the .4 mile will have.

Mr. Muzzy commented from the Council's point of view, the Town is looking to strengthen its business and residential ratio and it does not make sense to bring in vacant land or residential property without ensuring Council is making good financial decisions.

Mr. Underwood remarked that the issue of vacant land was already codified; the Town could not just take vacant land even if future Town Councils thought that it made sense. He added the value of the authority equals the net present value of its future income so let the authority pay for the facilities so it does not affect the taxpayers. He concluded the true value of any business is the net present value of its income.

General discussion ensued and concluded with Mr. duFrane following up on Mr. Rosenberger's comment and asking when we, meaning the Board and Council, create an authority what is it we want them to do? Where are we going with the pipes, sewer, etc.? What is the vision for future expansion and what areas are involved? He felt once these questions are answered it would then be obvious what should be in or out of town in terms of commercial or residential properties and in the County in terms of industry.

Mr. Underwood agreed in general and using the scenario of a new retail development at 666 that is water and sewer based, he asked would that go in the Town or in the future, if so, when and how. Mr. duFrane answered if town gets a choice and it makes sense it is an economic decision on providing the services they need. He commented if it is like Stevensburg is today should not come into town. Mr. Underwood asked what would be done if there were two farms in between? Mr. Yowell suggested special tax considerations could be implemented. Mr. Risner agreed that special tax consideration would have to be given for as long as they farm the land or until they want to get out of farming. Mr. Underwood felt that would create a conflict with development and create problems for the County such as reduced school funding with increased enrollment. General discussion ensued on how to overcome such scenarios.

Mr. Underwood suggested going back to the topic of BLA to see if one issue could be solved in this meeting. Mr. Walker commented if both parties went with the County's recommendation they could remove the 11 miles limitation because Route 29 and the Outer loop create a limit anyway. Mr. Underwood stated in theory there is potential for growth beyond 11 miles parallel to Route 29 and the Outer Loop since they do not connect. Mr. Aylor agreed that taking the 11 miles limit out made sense, and he added if it does not work the Town can bring it back but for now both parties need a starting point. Mayor Rimeikis asked what the rationale for the Route 29 boundary was. Mr. Rosenberger replied it creates a natural boundary versus following lot lines and was recommended by the Council for Local Governments. Mayor Rimeikis asked why that was important. Mr. Rosenberger replied because it follows physical boundaries so why would it not be important. Mr. Risner commented he did not have a problem with the boundary, but he did have a problem when it came to setting absolutes such as cannot's and, will not's. He would like to use Mr. Aylor's suggestion and say the boundary with Route 29 is a starting point, but do not say it will never go beyond Route 29.

General discussion ensued.

Mr. Risner suggested this would be a good point to ask the Town Manager and County Administrator what they need to move forward and bring the Joint bodies something to look at in early January.

Mr. Bossio replied that he, Mr. Muzzy and staff need to know what the show stoppers are. He thought he heard the 25 year growth limit was not a show stopper. Mayor Rimeikis interjected and advised Mr. Bossio that was only one Councilman's opinion. Mr. Bossio stated the year is an issue and questioned if the Route 29 and bypass boundaries were still an issue. Mr. Coleman commented they were acceptable to him.

Mr. Snyder remarked that he did not like arbitrary boundaries, because arbitrary limitations did not make sense. He felt the BLA needed to follow the water and sewer district or follow zoning because these are not arbitrary, they are decisions made by leaders of the County. He thought that base on that the Board can direct where growth occurs and what could and could not be adjusted into the Town. Discussion of this scenario versus a service agreement followed and concluded with Mayor Rimeikis suggesting the discussion should return to the BLA. He summarized what he believed had been agreed upon which was the staffs would do an in house fiscal analysis to the best of their ability. Mr. Underwood stated most businesses when making deals look at each other's books. Mayor Rimeikis cited the Town was audited annually. Mr. Underwood stated he was not referring to reviewing someone else audit but having staff use their own due diligence. Mr. Risner noted that was the thought behind bringing in a consultant so that there was transparency, he felt this was a key point.

Mr. Muzzy acknowledged the BLA was a point of contention and stated if that was removed from the conversation both parties need to address how to deal with the existing money, services and cost allocations. He added then there needs to be discussion on how to deal with new services and how off sets with the new of the new system and services affects the existing system and services. He noted the town is not interested in growing just residential, he felt one of the next steps from the Councils point of view is establishing a goal, do they want to grow 50% - 50% on commercial and residential, a goal needs to be discussed. Mr. Muzzy felt this would be needed to establish criteria for preparing a financial analysis.

Mr. Bossio advised the financial analysis will not be that extensive simply because anything outside of the .4 mile current growth area is guessing. General discussion of the BLA ensued and ended with Mr. Bossio summarizing that staff will just prepare financial data on the initial BLA and value of assets.

Mr. Underwood added if staff has to set up contracts then use the Town Treasurer and other departments currently used by the Town and affected by cost allocation.

Mr. Thorpe thought the discussion was very productive and moving in the right direction. He suggested there were examples available of how things can work. He added the details on how to enter into an agreement with the Town Treasurer to do book keeping is way down the road. He recommended both parties look at the City of Roanoke's establishment of a regional water and sewer authority as an example of how to achieve their goal. He acknowledged there were questions and did not know if the Roanoke model fit the Town and County needs but it can be looked at as an example. He also said the authority has to have the ability to hire and should be based on costs; it was his opinion that initially the authority will lose money and would need support from the local government.

Mr. Nixon observed the obvious goal of the Town is to make up the money they will lose if they agree to an authority. He agreed the initial BLA area will not make up the difference and asked will the authority buy the Towns assets.

Mr. Thorpe related the Roanoke model gives an idea of how to evaluate existing systems for transfer purposes. To his knowledge there has been no sale of a municipal system in Virginia since Alexandria sold its water system to American Water works. He acknowledged there have been a lot of sales of private water works but that's because most of those were in trouble, either water quality or some infrastructure problem. General Discussion ensued.

Mr. duFrane departed at 7:46.

Mr. Risner asked if there could be an agreement that staffs work the financial figures based on the initial BLA area with the understanding that nothing was written in stone. He thought Council probably needed to discuss issues brought forth in the meeting and suggested the Town and County have another meeting in January and more often if necessary.

Mr. Rosenberger asked if he understood Mr. Risner correctly that he was recommending Council go back to talk about the 29 and bypass boundaries. Mr. Risner replied that he recommended Council go back and discuss if they either agree or disagree on the boundary issue and other issues addressed in the joint meeting. He believed Council discussions would not hold up Mr. Bossio's and Mr. Muzzy's preparations. Mr. Rosenberger asked if Mr. Risner would agree that having definitive boundaries would be best for providing services by police, trash collection, etc. Mr. Risner commented if in ten years growth across 29 looks like the Town then the Town needs to be able to BLA. Mr. Thorpe responded there are means of determining what happens on other side of 29 with buffer zones and other means.

Ms. Hansohn departed at 7:56

Mr. Risner commented that he would like to ensure that staff understood what was expected of them.

Mr. Chase asked if Mr. Bossio understood. Mr. Muzzy responded a financial analysis based on the initial BLA, the finances of the plant and the money coming back to the Town.

Mr. Olinger asked what the initial boundary area included. Mr. Muzzy stated the Inlet area to include the area around Target the Clore farm and the remaining area of S.W.I.F.T.

Mr. Underwood asked staff provide a time schedule of milestones and significant events. Mr. Muzzy asked that the attorneys draft the schedule and bring it to the next meeting

Meeting Schedule: The next meeting is scheduled for January 14, 2010 at 6:00 p.m.

Adjournment

The meeting was adjourned at 8:04 p.m.



Barry Atchison
Assistant to the Deputy Clerk



Brad Rosenberger, Chairman

ATTEST:



Frank T. Bossio, Clerk to the Board